

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

ROBERT LEE ALLEN

*

Plaintiff,

*

v.

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2:07-CV-90-ID

LOWNDES COUNTY SHERIFF
DEPT, *et al.*,

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*

Defendants.

ORDER ON MOTION

On March 29, 2007 Plaintiff filed a Motion for Discovery of Undisclosed Information and Motion for Issuance of Subpoena. He seeks issuance of a subpoena commanding the Sheriff of the Lowndes County Detention Facility to provide Plaintiff with a copy of 1) all video tapes from the Lowndes County Detention Facility for certain specified dates, 2) dispatch audio tapes and dispatch log sheets made on February 7, 2007, 3) surveillance tapes of the Lowndes County Detention Facility's sally port made on February 7, 2007, 4) computer print outs of the detention facility's inmate bed roster for certain specified dates, 5) the names and addresses of all employees of the Lowndes County Detention Facility who worked from August 1, 2006 to February 27, 2007, 6) copies of Plaintiff's disciplinaries, and 7) a list containing the names of employees of the Lowndes County Detention Facility who

worked on the days for which he has requested jail surveillance tapes.

The record reflects that Defendants are under order to file a special report to include relevant affidavits, records, and rules, regulations, and/or guidelines in response to the allegations presented by Plaintiff in the instant complaint. Consequently, Plaintiff's discovery request shall be denied at this time. The motion may be reconsidered if warranted by further developments in this case.

Accordingly, it is

ORDERED that the Motion for Discovery of Undisclosed Information and Motion for Issuance of Subpoena (Doc. No. 10) be and is hereby DENIED at this time.

Done, this 30th day of March 2007.

/s/Wallace Capel, Jr.
WALLACE CAPEL, JR.
UNITED STATES MAGISTRATE JUDGE

